

Minutes of Ordinary Council Meeting held on 27 March 2018**Meeting commenced at 6.34pm****Present:**

Darcy Byrne	Mayor
Julie Passas	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Victor Macri	Councillor
Rochelle Porteous	Councillor (6.36pm)
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Rik Hart	General Manager
Elizabeth Richardson	A/Deputy General Manager Assets and Environment
Michael Tzimoulas	Deputy General Manager Chief Financial and Administration Officer
John Warburton	Deputy General Manager Community and Engagement
Nellette Kettle	Group Manager Civic and Executive Support, Integration, Customer Service and Business Excellence
David Birds	Group Manager Strategic Planning
Wal Petschler	Group Manager Roads & Stormwater
John Stephens	Traffic and Transport Services Manager
Amanda Buckland	Living Arts Manager
Erla Ronan	Group Manager Community Services and Culture
Cathy Edwards-Davis	Group Manager Trees, Parks and Sports Fields
Brooke Martin	Group Manager Properties, Major Building Projects and Facilities
Joe Strati	Group Manager Legal
Ian Naylor	Manager Civic and Executive Support
Katherine Paixao	Business Paper Coordinator (Minute Taker)

APOLOGIES:**Motion: (Byrne/ Hesse)****THAT apologies from Cllr Raciti and apologies for lateness from Cllr Porteous be accepted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Porteous**DISCLOSURES OF INTERESTS: Nil**

Councillor Porteous entered the meeting 6.36pm.

CONFIRMATION OF MINUTES**Motion: (McKenna OAM/Stamolis)**

THAT the Minutes of the Council Meeting held on Tuesday, 13 March 2018 be confirmed.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York

Against Motion: Nil

Suspension of Standing Orders**Motion: (Byrne/Passas)**

THAT Council bring forwards Items 11, 19, 20 and 21 to be dealt with at this time.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York

Against Motion: Nil

C0318 Item 11 Local Traffic Committee Meeting held on 6 March 2018**Motion: (Byrne/Stamolis)**

THAT:

1. The Minutes of the Local Traffic Committee Meeting held on 6 March 2018 be received and the recommendations be adopted;
2. With reference to Item 18 - Route EW09 (Lilyfield Road, Lilyfield) - Separated Cycleway (Balmain Ward/ Leichhardt LAC/ Balmain Electorate);
 - a) The public meeting on the Lilyfield cycleway project go ahead as soon as possible and is used to inform consultants GHD of changes that should be incorporated in the redesign; and
 - b) Council seek information about the possibility of using the Rozelle goods yards for the Lilyfield cycleway and report back to council and residents.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York

Against Motion: Cr Passas

C0318 Item 19 Notice of Motion: Adani Coal Mine**Motion: (Hesse/Lockie)**

THAT Council express its support for the nationwide Stop Adani campaign.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, McKenna OAM, Porteous, Stamolis, Steer and York

Against Motion: Crs Macri and Passas

Motion: (Hesse/Lockie)

THAT Council support the nationwide Stop Adani campaign by hanging 5 Stop Adani banners from Marrickville, Newtown, Ashfield, Balmain, Leichhardt Town Halls and the wording on the banner be 'Coal Kills - Stop Adani'.

Motion Tied

For Motion: Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer

Against Motion: Crs Byrne, Drury, Iskandar, Macri, McKenna OAM, Passas and York

The Chairperson used his Casting Vote against the **MOTION** and the **MOTION** was lost.

Councillor Iskandar retired from the meeting at 7.45pm

Councillor McKenna OAM retired from the meeting at 8.04pm

C0318 Item 20 Notice of Motion: Impacts of Infrastructure Projects on Annandale

Motion: (Da Cruz/Kiat)

THAT Council prepare a document summarising the impacts on Annandale, Leichhardt, Lilyfield, Rozelle, Balmain, Ashfield and Haberfield information for distribution.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York

Against Motion: Cr Passas

Absent: Crs Iskandar and McKenna OAM

THAT Council holds a local public meeting in Annandale to inform the community about the current plans and proposals for major infrastructure projects, and their expected impacts on the health, safety and amenity of people living and working in the local area.

Motion Carried

For Motion: Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer

Against Motion: Crs Byrne, Drury, Macri, Passas and York

Absent: Crs Iskandar and McKenna OAM

C0318 Item 21 Notice of Motion: Committees

Motion: (Hesse/Steer)

THAT Council support the reinstatement of the Cooks River and Environment Committee run by the former Marrickville Council in the review of the new committee structure.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Passas, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Iskandar and McKenna OAM

ADJOURNMENT

8.15pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

8.37pm – The Mayor, Clr Byrne resumed the meeting.

Resumption of Standing Orders**Motion: (Stamolis/Da Cruz)****THAT Standing Orders be resumed.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Passas, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Crs Iskandar and McKenna OAM**C0318 Item 1 A Healthier Inner West****Motion: (Macri/Drury)****THAT:**

- 1. Council invest \$65 million in park and aquatic capital facilities over the next three years, subject to the development and adoption of the 2018/2019 Budget;**
- 2. Council defer the appointment an Office of Sport Coordinator until after the completion of the Recreation Needs Study;**
- 3. The Recreation & Aquatics Service Unit and Office of Sport Coordinator strategically partner with the sporting clubs and key partners to increase participation of girls, women, people from lower socio economic backgrounds and people with disabilities as informed by the Recreation Needs Study: A Healthier Inner West;**
- 4. Council progress the Recreation Needs Study: A Healthier Inner West to investigate the need and best location for hockey and netball facilities and a hydrotherapy pool; and**
- 5. Council progress the development of the Inner West Sporting Ground Allocation Policy, in consultation with the sporting clubs and that the draft Policy be reported back to Council for adoption.**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Passas, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Crs Iskandar and McKenna OAM

Councillor Passas retired from the Meeting at 9:00 pm.

C0318 Item 2 Supporting Our Creative Communities**Motion: (York/Byrne)****THAT Council:**

1. Note that EDGE Inner West:
 - a) will optimise existing operational funds allocated to street art and community activation;
 - b) will also see the development, launch and delivery of the new Inner West Contemporary Arts Prize; and
 - c) includes the expansion of street art & street activation as adopted in October 2017 Notion of Motion.
2. Note that the Community & Engagement Group is currently reviewing Council's major events program and requests that opportunities for alignment with the EDGE activation be considered as part of that review;
3. Staff consider that EDGE be extended to provide activities in all five wards of the Inner West Council; and
4. Staff prepare a detailed budget on allocation of funding for EDGE for Councillor briefing.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Crs Iskandar, McKenna OAM and Passas**C0318 Item 3 Haberfield Town Centre - Notice of Motion****Motion: (Drury/Macri)****THAT the report be received and noted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Crs Iskandar, McKenna OAM and Passas**C0318 Item 4 Public Advocacy Callan Park****Motion: (Stamolis/Byrne)****THAT Council:**

1. Note the outcomes of the Callan Park Public meeting held on the 15th February 2018 and the community support for the adoption of the Callan Park Master Plan and Trust model;
2. Formally write to the NSW Government seeking clarification on the extent of the Landscape Structure Plan and request that Government extend any planning

framework to include the whole of Callan Park and to encompass the recommendations from Council's Draft Master Plan and Trust model;

3. Formally seek clarification from the NSW Government on those elements of the 2011 Master Plan which are not supported by Government and the rationale for non-support;
4. Formally request that Government include in its Landscape Structure Planning framework a funding model with prioritised key development proposals within the park and consideration of a Community Trust model for the future management of Callan Park; and
5. Request that the development of the Landscape Structure Plan include extensive community engagement.
6. Councillors be provided with a briefing from the office of Environment and Heritage on the Landscape Structure Plan

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Iskandar, McKenna OAM and Passas

C0318 Item 5 Yeo Park & Gough Reserve, Ashfield - Plan of Management

Motion: (Drury/Kiat)

THAT:

1. The draft Yeo Park and Gough Reserve, Ashfield Plan of Management be placed on public exhibition for 28 days; and
2. The draft Yeo Park and Gough Reserve, Ashfield Plan of Management and any community comments received be the subject of a report back to Council.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Iskandar, McKenna OAM and Passas

Motion: (Hesse/Porteous)

That Items 6, 9, and 12 be moved en bloc and the recommendations contained in the reports be adopted.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Iskandar, McKenna OAM and Passas

C0318 Item 6 Draft Remediation of Land State Environmental Planning Policy and Guidelines (to replace SEPP No. 55 - Remediation of Lands)**Motion: (Hesse/Porteous)****THAT Council:**

- 1. Support the proposed Remediation of Land SEPP and Guidelines subject to minor changes being made, as outlined in the submission at Attachment 1, and that the submission be made to the DPE;**
- 2. Endorse that the Inner West Development Control Plans be amended upon the finalisation of the proposed Remediation of Land SEPP to align with the SEPP requirements; and**
- 3. Endorse Council's Strategic Planning Group to review Council's Section 149 Planning Certificate Policy (also known as 10.7 Planning Certificates under the amended EP&A Act 1979) in relation to the issues addressed in the proposed Remediation of Land SEPP and Guidelines.**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Crs Iskandar, McKenna OAM and Passas**C0318 Item 9 Bulk Transfer of Nominated General Staff Update****Motion: (Hesse/Porteous)****THAT Council note the update and information contained in the Report.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Crs Iskandar, McKenna OAM and Passas**C0318 Item 12 Investment Report as at 28 February 2018****Motion: (Hesse/Porteous)****THAT the report be received and noted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Crs Iskandar, McKenna OAM and Passas

C0318 Item 7 Bangla New Year's Day Festival - Request to Hold Event at Tempe Reserve - Further Report**Motion: (Hesse/Macri)****THAT:**

1. The report be received and noted;
2. Council immediately engage with the organisers of the festival to seek to address the objections of the police, RMS and Council officers so that the event can return to the Inner West in 2019;
3. Council review and report on other festivals and events which have been hosted in the LGA previously which may be affected by similar logistical problems; and
4. Council receive a briefing or report which details how council can improve engagement with community leaders and organisers of local community events

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Crs Iskandar, McKenna OAM and Passas**C0318 Item 8 IWC Grants Program: Overview of Criteria and Processes****Motion: (Stamolis/Macri)****THAT:**

1. The revised 2018/19 Inner West Grant Guidelines are noted; and
2. Each Inner West Grant Program assessment panel includes an external representative.
3. Council provide an outreach service to organisations representing multicultural communities to assist with grant applications

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Crs Iskandar, McKenna OAM and Passas**C0318 Item 10 Inner West Council Position on the Cruise Ship Terminal****Motion: (Stamolis/Byrne)**

THAT in order to address the ongoing health concerns of residents and the major impacts of air and noise pollution from the white bay cruise terminal, council will prioritise the following:

- Call on Federal Government to ban cruise ships from burning bunker fuel in Sydney Harbour, by requiring that the switch to low sulphur (0.1%) fuel before entering the harbour;

- **Call of the NSW Government to implement shore power at the white bay cruise terminal to adequately minimise air emissions, given that the cost/benefit study did not examine health costs/benefits;**
- **Call on the Port Authority of NSW to immediately commence its ‘ three strikes’ policy to capture those ships which are repeatedly breaching the noise level maximums set in the conditions of consent; and**
- **Call of the NSW Government to ban overnight stays of cruise ships in White Bay, given its proximity to family homes and the intolerable air and noise impacts at night.**

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Iskandar, McKenna OAM and Passas

Amendment (Porteous/Da Cruz)

That Council commits in principle to pursuing the installation of an air monitoring unit in the appropriate position to properly capture cruise ship air emissions to monitor sulphur dioxide (SO₂) particulate matter less than 2.5 microns diameter (PM_{2.5}) that cost be provided to council and the port authority also be requested to fund this.

Motion Lost

For Motion: Crs Da Cruz, Hesse, Kiat, Porteous and Steer

Against Motion: Crs Byrne, Drury, Lockie, Macri, Stamolis and York

Absent: Crs Iskandar, McKenna OAM and Passas

C0318 Item 13 Notice of Motion: Planning

Councillor Hesse withdrew this Motion.

C0318 Item 14 Notice of Motion: Late Registration at Ordinary Council Meetings

Motion: (Stamolis/Hesse)

THAT:

- 1. At the beginning of each Ordinary Council meeting the Mayor to remind people in the gallery that they should have registered to speak and to ask for a show of hands for people who forgot to register to speak;**
- 2. The Mayor to consider allowing late registration, in particular, for items where there is no registered speaker and for leaders of community groups;**
- 3. Where the Mayor has invited late registration, the General Manager to provide a supplementary list of speakers, along with item numbers, to the Mayor; and**
- 4. Council to use its website, newsletters, social media and other means to remind people that registration is necessary if they wish to speak at an Ordinary Council Meeting.**

Motion Carried

For Motion: Crs Da Cruz, Hesse, Kiat, Porteous, Stamolis and Steer
Against Motion: Crs Byrne, Drury, Lockie, Macri and York
Absent: Crs Iskandar, McKenna OAM and Passas

Foreshadowed Motion (Byrne/Macri)**THAT:**

1. Council to use its website, newsletters, social media and other means to remind people that registration is necessary if they wish to speak at an Ordinary Council Meeting; and
2. Council conduct a review of the Code of Meeting Practice for housekeeping purposes in June 2018.

This Foreshadow Motion lapsed.

C0318 Item 15 Notice of Motion: Listing of Policy Documents for Councillors

Motion: (Stamolis/Hesse)

THAT:

1. At each Ordinary meeting, a report be provided listing Council policy documents which are being drafted, revised or recently approved. Brief information about the reasons for redrafting or revising of the policy documents as well as the key changes should be provided;
2. Council implement a Register of Policies on the website (as an HTML webpage not PDF); and
3. The register include links to the policies on Council's website and when they were adopted.

Motion Carried

For Motion: Crs Da Cruz, Hesse, Kiat, Porteous, Stamolis and Steer
Against Motion: Crs Byrne, Drury, Lockie, Macri and York
Absent: Crs Iskandar, McKenna OAM and Passas

C0318 Item 16 Notice of Motion: Minister's Award in Local Government

Motion: (York/Drury)

That this item be deferred.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York
Against Motion: Nil
Absent: Crs Iskandar, McKenna OAM and Passas

C0318 Item 17 Notice of Motion: Councillor Access to Media Services

Motion: (Stamolis/Porteous)

THAT Councillors be provided with access to media services that are needed for their

work and role as a Councillor. These include:

- Sydney Morning Herald (week day and weekend);
- Daily Telegraph; and
- Courier - Inner West and other regions.

Motion Carried

For Motion: Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer

Against Motion: Crs Byrne, Drury, Macri and York

Absent: Crs Iskandar, McKenna OAM and Passas

Foreshadowed Motion (Kiat)

THAT Councillors be provided with access to media and journal services through the Councillors Expenses and Facilities Policy (within the existing ICT budget) that are needed for their work. Such as:

- Sydney Morning Herald (week day and weekend);
- Daily Telegraph; and
- Courier - Inner West and other regions.

This Foreshadowed Motion lapsed.

C0318 Item 18 Notice of Motion: Marion Street Cottages

Motion: (Porteous/Da Cruz)

THAT:

1. Council conducts an independent legal review of the planning decision to demolish the buildings at 9 and 11 Marion St Leichhardt for the following reasons:
 - a) Council notes that Council officers have refused to answer Councillors questions regarding the validity of Council's approval of the demolition of the Marion St cottages under the relevant planning regulations;
 - b) Council staff have informed Councillors that no document which records the authorisation of the demolition decision exists;
 - c) The review of environmental factors did not take into account the aboriginal art present on the buildings;
2. Council undertake an independent governance review of Council decision making with regard to the demolition of the cottages at 9 and 11 Marion St Leichhardt for the following reasons:
 - a) There is no written record of approval by the Council. Whether the approval was legally valid or not proper governance requires an written authorisation by a person who had the appropriate level of delegated authority and who declared in writing that they had taken into account the matters prescribed by law that had to be considered.
 - b) The Consultants have been provided with limited information on the history of plans for the cottages and are relying on a 2006 Masterplan which has been overridden on many occasions by more recent resolutions of council. They were not, for example, made aware of the fact that Leichhardt Council had allocated into their 2012/2013 budget 2.1 million to retain the cottages and convert them to a community centre for young people. Why was the

2012/13 information not provided to the consultants?

- c) Council staff acted on a 2006 masterplan and ignored later 2012/13 decision which provided a budget to retain the cottages. The review should establish what was the most recent decision of Council regarding the future of the cottages and if that was complied with by Council staff.

Motion Carried

For Motion: Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer
Against Motion: Crs Byrne, Drury, Macri and York
Absent: Crs Iskandar, McKenna OAM and Passas

C0318 Item 22 Notice of Motion: Multicultural Policy**Motion: (Macri/Byrne)**

THAT this item be deferred.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York
Against Motion: Nil
Absent: Crs Iskandar, McKenna OAM and Passas

Councillor Porteous requested that the meeting consider an urgency motion with regards to the Addison Road Community Centre and Greek Atlas Club.

Urgency Motion – Addison Road Community Centre and Greek Atlas Club**Motion (Porteous/Byrne)**

THAT the motion be considered as a matter of urgency.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York
Against Motion: Nil
Absent: Crs Iskandar, McKenna OAM and Passas

The Mayor declared this matter was urgent.

Motion: (Porteous/Byrne)

THAT a report come back to the next Ordinary Council Meeting about the compliance issues for Addison Road Community Centre and Greek Atlas Club with options on how these issues can be rectified.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York
Against Motion: Nil
Absent: Crs Iskandar, McKenna OAM and Passas

Confidential Session**Motion (Drury/Stamolis)**

THAT Council move into Confidential session to consider Items of business containing Confidential Information.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Iskandar, McKenna OAM and Passas

Members of the public were asked to leave the Chamber.

Councillor Macri retired from the Meeting at 10:56 pm.

Motion: (Hesse/Drury)

THAT Council return to open session to read out the recommendations from the Closed Session.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Iskandar, Macri, McKenna OAM and Passas

The Mayor read out to the Meeting the recommendation from the Closed Session of Council.

REPORTS WITH CONFIDENTIAL INFORMATION**C0318 Item 24 Balmain Telstra Building and Public Space Project****Motion: (Stamolis/Byrne)**

THAT Council defer the matter pending a Councillor briefing session and consult with Telstra about the possibility of gaining additional space now which will enable an increase in the area of the civic square. A report to come back to Council which details:

- **The increase costs to Council;**
- **Any additional costs to Council; and**
- **Any changes in timeframes.**

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Iskandar, Macri, McKenna OAM and Passas

Meeting closed at 11.00pm.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 11:	William Holliday	Lilyfield
Item 19:	Gillian Reffell	Summer Hill
	Alex Lofts	Summer Hill
Item 20:	Kelvin Riordan	Annandale
	Elizabeth Rechniewski	Annandale
	Kim Heras	Annandale
Item 21:	John Butcher	Marrickville